

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CARL DEAN EDWARDS,

Plaintiff,

v.

JAMES COX et al.,

Defendants.

2:14-cv-138-JCM-VCF

ORDER

I. DISCUSSION

On January 31, 2014, this court issued an order denying plaintiff's application to proceed *in forma pauperis* without prejudice to file a new application because the application was incomplete. (ECF No. 2 at 1-2). This court sent plaintiff the approved application to proceed *in forma pauperis* as well as the document entitled information and instructions for filing an application to proceed *in forma pauperis*. (*Id.* at 2). This court granted plaintiff thirty (30) days from the date of that order, or March 3, 2013, to either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full filing fee. (*Id.*). The court stated that if plaintiff did not timely comply with that order, dismissal of the action would result. (*Id.*).

On April 18, 2014, this court dismissed this case without prejudice because plaintiff had not filed another application to proceed *in forma pauperis* or otherwise responded to the court's January 31, 2014 order. (ECF No. 3 at 1).

On May 2, 2014, plaintiff filed a motion to reconsider. (ECF No. 5 at 1). Plaintiff stated that he had just received this court's April 18, 2014 order and that he never received this

1 court's order directing him to correct his deficient application to proceed *in forma pauperis*.
2 (*Id.*). He requests time to file another application to proceed *in forma pauperis*. (*Id.*).

3 The court grants plaintiff's motion for reconsideration and directs the clerk of the court
4 to reopen this case. Plaintiff shall have thirty (30) days from the date of this order to file a fully
5 complete application to proceed *in forma pauperis*.

6 **II. CONCLUSION**

7 For the foregoing reasons, IT IS ORDERED that plaintiff's motion for reconsideration
8 (ECF No. 5) is granted.

9 IT IS FURTHER ORDERED that the clerk of the court shall reopen this case.

10 IT IS FURTHER ORDERED that the clerk of the court shall send plaintiff the approved
11 form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled
12 information and instructions for filing an *in forma pauperis* application.

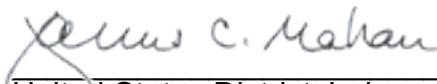
13 IT IS FURTHER ORDERED that the clerk of the court shall send plaintiff a copy of this
14 court's January 31, 2014, order (ECF No. 2).

15 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
16 plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
17 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
18 (2) pay the full filing fee of \$400.

19 IT IS FURTHER ORDERED that if plaintiff does not timely comply with this order,
20 dismissal of this action may result.

21 IT IS FURTHER ORDERED that the clerk of the court shall retain the complaint (ECF
22 No. 1), but shall not file it at this time.

23
24 DATED: This 7th day of May, 2014.

25
26 
27 United States District Judge
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